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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,225

09/13/2005

Luis Maria Arnau Manresa

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EXAMINER

RADA, ALEX P

ART UNIT

PAPER NUMBER

3714

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DELIVERY MODE

04/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/532,225	Applicant(s) ARNAU MANRESA, LUIS MARIA	
	Examiner ALEX P. RADA	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 13 and 14 is/are rejected.
- 7) ☒ Claim(s) 4-12 and 15-19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/22/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Preliminary Amendment

In response to the Preliminary Amendment filed 22 April 2005 wherein applicant amends claims 1-15, adds new claims 15-19 and claims 1-19 are pending in this application.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Rudell et al. (US 4,697,812).

Regarding claim 1, Rudell discloses current collector system for toy vehicles comprising a guide groove (figures 1-3), of the type that comprises electro conductive tracks (figures 1-3), connectable to an electrical power supply (figure 1), placed in both sides of the guide groove (figure 4 and col. 4, lines 40-56; wherein the conductor strip 40 line the vertical walls of the track slot 54), and current collector elements in electrical connection with at least an electrical traction motor of each vehicle and placed in a lower front part of the vehicle (figures 4-5), in both sides of a guide follower flange (figures 4-5), taking place a dynamic electrical contact between the electro conductive tracks and the current collector element while the vehicle moves over the mentioned track with the guide follower flange in the guide groove (figures 4-5), the electro conductive tracks are placed throughout the inner laterals of the guide groove (figure 4 and col. 4, lines 40-56; wherein the conductor strip 40 line the vertical walls throughout the entire track of slot 54), characterized in that

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the current collector elements are located in the outer lateral faces of the guide follower flange, and being a part of the mentioned guide follower flange (figure 4-5).

Regarding claim 2, Rudell discloses the current collector elements are made of a laminar material and are joined to the outer lateral faces of the guide follower flange and the electro conductive tracks are pushed by the force of elastic elements towards a central zone of the guide groove to assure a good contact with the current collector elements, which, when the vehicle crosses, make contact with the electro conductive tracks separating them against the force of the mentioned elastic elements (figure 4 and col. 4, lines 40-56; wherein the conductor strip 40 line the vertical walls throughout the entire track of slot 54 is similar to the laminar material).

Regarding claim 3, Rudell discloses the electro conductive tracks are made of a laminar material and have as contact zone a rim or an edge of a portion of the laminar material no parallel to the respective current collector elements (figure 4-5; wherein the wiper members contact the laminar like conductor strip, which is similar to the claimed contact zone).

Regarding claim 13, Rudell discloses the guide follower flange is integral of a rod inserted in such a way that it can turn in a hole of the lower front part of the vehicle and the current collector elements extend superiorly in connection terminals to, or of contact with, connected conductive elements to the motor of the vehicle (figures 4-5).

Regarding claim 14, Rudell discloses the depth of insertion of the guide follower flange in the guide groove is limited by the front wheels of the vehicle, which lean and roll on a tread surface of the track (figures 4-5).

Allowable Subject Matter

3. Claims 4-12 and 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ng (US 5,218,909) and Celesia (US 3,422,770) both disclose different types of slot track raceway system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEX P. RADA whose telephone number is (571)272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

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assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714

Robert E. Pezzuto
Examiner
Art Unit 3714

/A. P. R./
Examiner, Art Unit 3714